Notice of Allowability	Application No.	Applicant(s)	
	10/811,578	BECKMANN ET AL.	
	Examiner	Art Unit	
	Deepak Rao	1624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the amendment filed on November 28, 2006*.

2. ☒ The allowed claim(s) is/are *1-19*.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☒ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☒ Certified copies of the priority documents have been received in Application No. *10/246,220* .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Deepak Rao
Primary Examiner
Art Unit: 1624

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Kathleen Ehrhard on February 16, 2007.

The application has been amended as follows:

In the Specification:

On page 1, insert the following as the first paragraph below the title of the invention:

-- This application is a continuation of Application S.No. 10/246,220 filed September 18, 2002, now abandoned. --

In the Claims:

In claim 1, line 4, delete "or =N-".

In claim 1, line 19, delete " ; " and in place insert -- . --.

In claim 1, delete lines 20-21 (i.e., the last two lines).

In claim 2, line 4, delete "=N-".

In claim 8, line 1, delete "formula (II)" and in place insert -- formula (I) --.

In claim 8, line 2, delete "claim 7 where the substituents are R^7 having the following meaning: R^7 are identical or" and in place insert:

-- claim 5 where Y is =O, n is 0, R^1 is CF_3, R^2, R^3 and R^4 are hydrogen, and the substituents R^7 are identical or --

In claim 13, line 4, delete "claim 1 and 2" and in place insert -- claim 1 or 2 --.

Cancel claim 20 without any prejudice or disclaimer.

(Copy of claims as amended is attached in Appendix)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deepak Rao whose telephone number is (571) 272-0672. The examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James O. Wilson, can be reached at (571) 272-0661. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

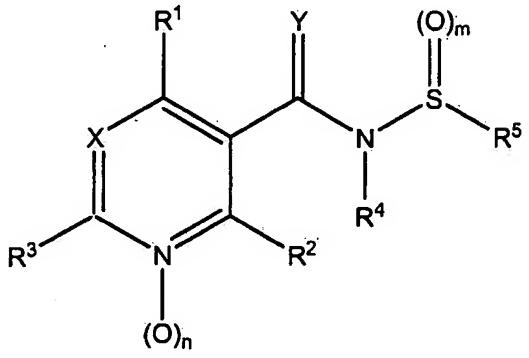
system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Deepak Rao
Primary Examiner
Art Unit 1624

February 16, 2007

APPENDIX

1. (Currently Amended) A compound of the formula (I) or a salt thereof



(I)

where the symbols and indices are as defined below:

X is =CH- ~~or =N-~~;

Y is =O or =S;

n is 0 or 1;

m is 0;

R^1 is (C_1-C_6)-alkyl, (C_1-C_6)haloalkyl, —S(halogen)$_5$ or halogen, where one or two CH_2 groups may be replaced by —O— or —S— or —N(C_1-C_6)-alkyl, with the proviso that heteroatoms may not be adjacent;

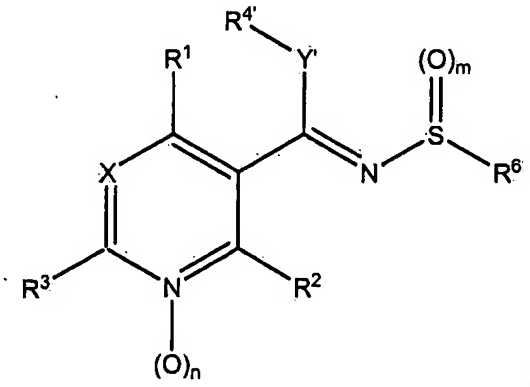
R^2, R^3 independently of one another are hydrogen, (C_1-C_6)-alkyl, (C_1-C_6)-haloalkyl or halogen, where one or two CH_2 groups may be replaced by —O— or —S— or —N(C_1-C_6)-alkyl, with the proviso that heteroatoms may not be adjacent;

R^4 is hydrogen, (C_1-C_{10})-alkyl, (C_3-C_{10})-cycloalkyl, (C_3-C_{10})-alkenyl, (C_3-C_{10})-alkynyl, (C_6-C_{14})-aryl, (C_3-C_{10})-heterocyclyl or (C_1-C_{10})-alkanoyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted;

R^5 is hydrogen, (C_1-C_{10})-alkyl, (C_3-C_{10})-alkenyl- , (C_3-C_{10})-alkynyl, (C_3-C_8)-cycloalkyl, (C_4-C_8)-cycloalkenyl, (C_8-C_{10})-cycloalkynyl, aryl or heterocyclyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted;

~~except for compounds of the formula (I), in which X is =CH-, m is 1 or 2 and R^5 is unsubstituted or substituted (C_{1-10})-alkyl.~~

2. **(Currently Amended)** A compound of the formula (II) or a salt thereof



(II)

where the symbols and indices are as defined below:

X is =CH- ~~or =N-~~;

Y' is –O- or –S-;

n is 0 or 1;

m is 0;

R^1 is (C_1-C_6)-alkyl-, (C_1-C_6)-haloalkyl, —S(halogen)$_5$ or halogen, where one or two CH_2 groups may be replaced by —O— or —S— or —N(C_1-C_6)-alkyl, with the proviso that heteroatoms may not be adjacent;

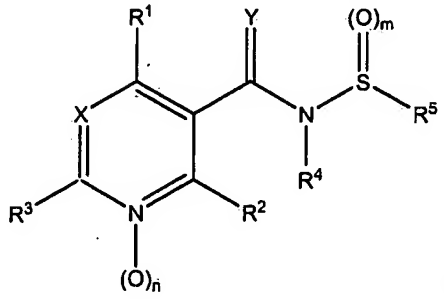
R^2, R^3 independently of one another are hydrogen, (C_1-C_6)-alkyl, (C_1-C_6)-haloalkyl or halogen, where one or two CH_2 groups may be replaced by —O— or —S— or —N(C_1- C_6)-alkyl, with the proviso that heteroatoms may not be adjacent;

$R^{4'}$ is hydrogen, (C_1-C_{10})-alkyl, (C_3- C_{10})-cycloalkyl, (C_3- C_{10})-alkenyl, (C_3- C_{10})-alkynyl, (C_6-C_{14})-aryl or (C_3- C_{10})-heterocyclyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted; and

R^6 is hydrogen, (C_1- C_{10})-alkyl, (C_3- C_{10})-alkenyl-, (C_3- C_{10})-alkynyl, (C_3-C_8)-cycloalkyl, (C_4-C_8)-cycloalkenyl, (C_8- C_{10})-cycloalkynyl, aryl or heterocyclyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted.

3. (Previously Amended) A compound of the formula (I) or a salt thereof as claimed in claim 1 where R^1 is SF_5, CHF_2, CF_2Cl or CF_3.

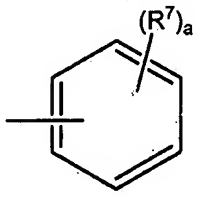
4. (Previously Amended) A compound of the formula (I) or a salt thereof



(I)

where X is =CH—, Y is =O, m and n are 0, R^1 is CF_3, R^2, R^3 and R^4 are hydrogen and R^5 is (C_1-C_{10})-alkyl, (C_2- C_{10})-alkenyl, (C_2- C_{10})-alkynyl, (C_3-C_8)-cycloalkyl, (C_4-C_8)-cycloalkenyl, (C_8-C_{10})-cycloalkynyl, aryl or heterocyclyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted.

5. **(Original)** A compound of the formula (I) or a salt thereof as claimed in claim 1 where R^5 is a radical of the formula IIa



(IIa)

where the symbols and indices are as defined below:

a is 0, 1, 2, 3 or 4;

R^7 are identical or different R^8, or two radicals R^7 together with the atoms to which they are attached form a three- to eight-membered saturated or unsaturated ring system which is unsubstituted or substituted by one or more radicals R^8 and which may also contain further heteroatoms, selected from the group consisting of O, N, S, SO and SO_2;

R^8 are identical or different R^9, R^{10}, —C(W)R^9, —C(=NOR^9)R^9, —C(=NNR^9_2)R^9, —C(=W)OR^9, —C(=W)NR^9_2, —OC(=W)R^9, —OC(=W)OR^9, —NR^9C(=W)R^9, —N[C(=W)R^9]$_2$, —NR^9C(=W)OR^9, —C(=W)NR^9—NR^9_2, —C(=W)NR^9—NR^9[C(=W)R^9], —NR^9—C(=W)NR^9_2,

$-NR^9-NR^9C(=W)R^9$, $-NR^9-N[C(=W)R^9]_2$, $-N[(C=W)R^9]-NR^9_2$, $-NR^9-N[(C=W)WR^9]$, $-NR^9[(C=W)NR^9_2]$, $-NR^9(C=NR^9)R^9$, $-NR^9(C=NR^9)NR^9_2$, $-O-NR^9_2$, $-O-NR^9(C=W)R^9$, $-SO_2NR^9_2$, $-NR^9SO_2R^9$, $-SO_2OR^9$, $-OSO_2R^9$, $-OR^9$, $-NR^9_2$, $-SR^9$, $-SiR^9_3$, $-PR^9_2$, $-P(=W)R^9_2$, $-SOR^9$, $-SO_2R^9$, $-PW_2R^9_2$, $-PW_3R^9_2$ or two radicals R^8 together are (=W), (=N–R^9), (=CR^9_2), (=CHR^9) or (=CH_2);

W is =O or =S;

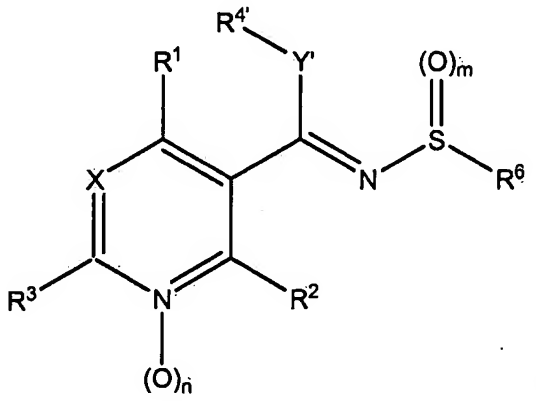
R^9 are identical or different (C_1-C_6)-alkyl, (C_2-C_6)-alkenyl, (C_2-C_6)-alkynyl, (C_3-C_8)-cycloalkyl, (C_4-C_8)-cycloalkenyl, (C_3-C_8)-cycloalkyl-(C_1- C_4)-alkyl, (C_4-C_8)-cycloalkenyl-(C_1-C_4)-alkyl, (C_3-C_8)-cycloalkyl-(C_2-C_4)-alkenyl, (C_4-C_8)-cycloalkenyl-(C_2-C_4)-alkenyl, (C_1-C_8)-alkyl-(C_3-C_8)-cycloalkyl, (C_2-C_6)-alkenyl-(C_3-C_8)-cycloalkyl, (C_2-C_6)-alkynyl-(C_3-C_8)-cycloalkyl, (C_1-C_6)-alkyl-(C_4-C_8)-cycloalkenyl, (C_2-C_6)alkenyl-(C_4-C_8)-cycloalkenyl, aryl, heterocyclyl; where the radicals mentioned are unsubstituted or substituted by one or more radicals R^{10} and two radicals R^9 together may form a ring system;

R^{10} are identical or different halogen, cyano, nitro, hydroxyl, thio, amino, formyl, (C_1-C_6)-alkanoyl, (C_1-C_6)-alkoxy, (C_3-C_6)-alkenyloxy, (C_3-C_6)-alkynyloxy, (C_1-C_6)-haloalkyloxy, (C_3-C_6)-haloalkenyloxy, (C_3-C_6)-haloalkynyloxy, (C_3-C_8)-cycloalkoxy, (C_4-C_8)-cycloalkenyloxy, (C_3-C_8)-halocycloalkoxy, (C_4-C_8)-halocycloalkenyloxy, (C_3-C_8)-cycloalkyl-(C_1-C_4)-alkoxy, (C_4-C_8)-cycloalkenyl-(C_1-C_4)-alko- xy, (C_3-C_8)-cycloalkyl-(C_2-C_4)-alkenyloxy, (C_4-C_8)-cycloalkenyl-(C_1-C_4)-alkenyloxy, (C_1-C_6)-alkyl-(C_3-C_8)-cycloalkoxy, (C_2-C_6)-alkenyl-(C_3-C_8)-cycloalkoxy, (C_2-C_6)-alkynyl-(C_3-C_8)-cycloalkoxy, (C_1-C_6)-alkyl-(C_4-C_8)-cycloalkenyloxy, (C_2-C_6)-alkenyl-(C_4-C_8)-cycloalkenyloxy, (C_1-C_4)-alkoxy-(C_1-C_6)-alkoxy, (C_1-C_4)-alkoxy-(C_3-C_6)-alkenyloxy, carbamoyl, (C_1-C_6)-mono- or -dialkylcarbamoyl, (C_1-C_6)-mono- or -dihaloalkylcarbamoyl, (C_3-C_8)-mono- or -dicycloalkylcarbamoyl, (C_1-C_6)-alkoxycarbonyl, (C_3-C_8)-cycloalkoxycarbonyl, (C_1-C_6)-alkanoyloxy, (C_3-C_8)-cycloalkanoyloxy, (C_1-C_6)-haloalkoxycarbonyl, (C_1-C_6)-haloalkanoyloxy, (C_1-C_6)-alkanoylamino, (C_1-C_6)-haloalkanoylamino, (C_2-C_8)-alkenoylamino, (C_3-C_8)-cycloalkanoylamino, (C_3-C_8)-cycloalkyl-(C_1-C_4)-alkanoylamino, (C_1-C_6)-alkylthio, (C_3-C_6)alkenylthio, (C_3-C_6)-alkynylthio, (C_1-C_6)-haloalkylthio, (C_3-C_6)-haloalkenylthio, (C_3-C_6)-haloalkynylthio, (C_3-C_8)-cycloalkylthio, (C_4-C_8)-cycloalkenylthio, (C_3-C_8)-halocycloalkylthio, (C_4-C_8)-halocycloalkenylthio, (C_3-C_8)-cycloalkyl-(C_1-C_4)-alkylthio, (C_4-C_8)-cycloalkenyl-(C_1-C_4)-alkylthio, (C_3-C_8)-cycloalkyl-(C_3-C_4)-alkenylthio, (C_4-C_8)-cycloalkenyl-(C_3-C_4)-alkenylthio, (C_1-C_6)-alkyl-(C_3-C_8)-cycloalkylthio, (C_2-

C_6)-alkenyl-(C_3-C_8)-cycloalkylthio, (C_2-C_6)-alkynyl-(C_3-C_8)-cycloalkylthio, (C_1-C_6)-alkyl-(C_4-C_8)-cycloalkenylthio, (C_2-C_6)-alkenyl-(C_4-C_8)-cycloalkenylthio, (C_1-C_6)-alkylsulfinyl, (C_3-C_6)-alkenylsulfinyl, (C_3-C_6)-alkynylsulfinyl, (C_1-C_6)-haloalkylsulfinyl, (C_3-C_6)-haloalkenylsulfinyl, (C_3-C_6)-haloalkynylsulfinyl, (C_3-C_8)-cycloalkylsulfinyl, (C_4-C_8)-cycloalkenylsulfinyl, (C_3-C_8)-halocycloalkylsulfinyl, (C_4-C_8)-halocycloalkenylsulfinyl, (C_3-C_8)-cycloalkyl-(C_1-C_4)-alkylsulfinyl, (C_4-C_8)-cycloalkenyl-(C_1-C_4)-alkylsulfinyl, (C_3-C_8)-cycloalkyl-(C_3-C_4)-alkenylsulfinyl, (C_4-C_8)-cycloalkenyl-(C_3-C_4)-alkenylsulfinyl, (C_1-C_6)-alkyl-(C_3-C_8)-cycloalkylsulfinyl, (C_2-C_6)-alkenyl-(C_3-C_8)-cycloalkylsulfinyl, (C_2-C_6)-alkynyl-(C_3-C_8)-cycloalkylsulfinyl, (C_1-C_6)-alkyl-(C_4-C_8)-cycloalkenylsulfinyl, (C_2-C_6)-alkenyl-(C_4-C_8)-cycloalkenylsulfinyl, (C_1-C_6)-alkylsulfonyl, (C_3-C_6)-alkenylsulfonyl, (C_3-C_6)-alkynylsulfonyl, (C_1-C_6)-haloalkylsulfonyl, (C_3-C_6)-haloalkenylsulfonyl, (C_3-C_6)-haloalkynylsulfonyl, (C_3-C_8)-cycloalkylsulfonyl, (C_4-C_8)-cycloalkenylsulfonyl, (C_3-C_8)-halocycloalkylsulfonyl, (C_4-C_8)-halocycloalkenylsulfonyl, (C_3-C_8)-cycloalkyl-(C_1-C_4)-alkylsulfonyl, (C_4-C_8)-cycloalkenyl-(C_1-C_4)-alkylsulfonyl, (C_3-C_8)-cycloalkyl-(C_3-C_4)-alkenylsulfonyl, (C_4-C_8)-cycloalkenyl-(C_3-C_4)-alkenylsulfonyl, (C_1-C_6)alkyl-(C_3-C_8)-cycloalkylsulfonyl, (C_2-C_6)-alkenyl-(C_3-C_8)-cycloalkylsulfonyl, (C_2-C_6)-alkynyl-(C_3-C_8)-cycloalkylsulfonyl, (C_1-C_6)-alkyl-(C_4-C_8)-cycloalkenylsulfonyl, (C_2-C_6)alkenyl-(C_4-C_8)-cycloalkenylsulfonyl, (C_1-C_6)-dialkylamino, (C_1-C_6)-alkylamino, (C_3-C_6)-alkenylamino, (C_3-C_6)-alkynylamino, (C_1-C_6)-haloalkylamino, (C_3-C_6)-haloalkenylamino, (C_3-C_6)-haloalkynylamino, (C_3-C_8)-cycloalkylamino, (C_4-C_8)-cycloalkenylamino, (C_3-C_8)-halocycloalkamino, (C_4-C_8)-halocycloalkenylamino, (C_3-C_8)-cycloalkyl-(C_1-C_4)-alkylamino, (C_4-C_8)-cycloalkenyl-(C_1-C_4)-alkylamino, (C_3-C_8)-cycloalkyl-(C_3-C_4)-alkenylamino, (C_4-C_8)-cycloalkenyl-(C_3-C_4)-alkenylamino, (C_1-C_6)-alkyl-(C_3-C_8)-cycloalkylamino, (C_2-C_6)-alkenyl-(C_3-C_8)-cycloalkylamino, (C_2-C_6)-alkynyl-(C_3-C_8)-cycloalkylamino, (C_1-C_6)-alkyl-(C_4-C_8)-cycloalkenylamino, (C_2-C_6)-alkenyl-(C_4-C_8)-cycloalkenylamino, (C_1-C_6)-trialkylsilyl, aryl, aryloxy, arylthio, arylsulfinyl, arylsulfonyl, arylamino, aryl-(C_1-C_4)-alkoxy, aryl-(C_3-C_4)-alkenyloxy, aryl-(C_1-C_4)-alkylthio, aryl-(C_1-C_4)-alkylsulfinyl, aryl-(C_1-C_4)-alkylsulfonyl, aryl-(C_2-C_4)-alkenylthio, aryl-(C_2-C_4)-alkenylsulfinyl, aryl-(C_2-C_4)-alkenylsulfonyl, aryl-(C_1-C_4)-alkylamino, aryl-(C_3-C_4)-alkenylamino, aryl-(C_1-C_6)-dialkylsilyl, diaryl-(C_1-C_6)-alkylsilyl, triarylsilyl and 5- or 6-membered heterocyclyl, where the cyclic moiety of the fourteen last-mentioned radicals is unsubstituted or substituted by one or more radicals selected from the group consisting of halogen, cyano, nitro, amino, hydroxyl, thio,

(C_1-C_4)-alkyl, (C_1-C_4)-haloalk- yl, (C_3-C_8)-cycloalkyl, (C_1-C_4)-alkoxy, (C_1-C_4)-haloalkoxy, (C_1-C_4)-alkylthio, (C_1-C_4)-haloalkylthio, (C_1-C_4)-alkylamino, (C_1-C_4)-haloalkylamino and (C_1-C_4)-alkanoyl, and if R^9 is aryl or heterocyclyl, (C_1-C_4)-alkyl or C_1-C_4)-haloalkyl.

6. (Previously Amended) A compound of the formula (II) or a salt thereof



(II)

where the symbols and indices are as defined below:

X is =CH-;

Y' is –O- or –S-;

n is 0 or 1;

m is 0, 1 or 2;

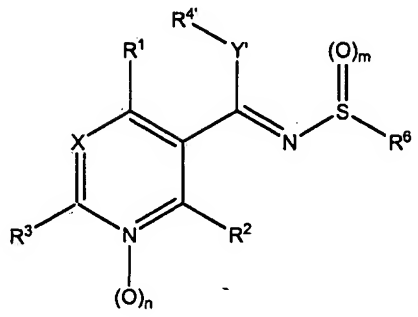
R^1 is SF_5, CHF_2, CF_2Cl or CF_3;

R^2, R^3 independently of one another are hydrogen, (C_1-C_6)-alkyl, (C_1-C_6)-haloalkyl or halogen, where one or two CH_2 groups may be replaced by –O- or –S- or –N(C_1-C_6)-alkyl, with the proviso that heteroatoms may not be adjacent;

$R^{4'}$ is hydrogen, (C_1-C_{10})-alkyl, (C_3-C_{10})-cycloalkyl, (C_3-C_{10})-alkenyl, (C_3-C_{10})-alkynyl, (C_6-C_{14})-aryl or (C_3-C_{10})-heterocyclyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted; and

R^6 is hydrogen, (C_1-C_{10})-alkyl, (C_3-C_{10})-alkenyl, (C_3-C_{10})-alkynyl, (C_3-C_8)-cycloalkyl, (C_4-C_8)-cycloalkenyl, (C_8-C_{10})-cycloalkynyl, aryl or heteroaryl, where the radicals mentioned may be unsubstituted or mono-or polysubstituted.

7. (Previously Amended) A compound of formula (II) or a salt thereof

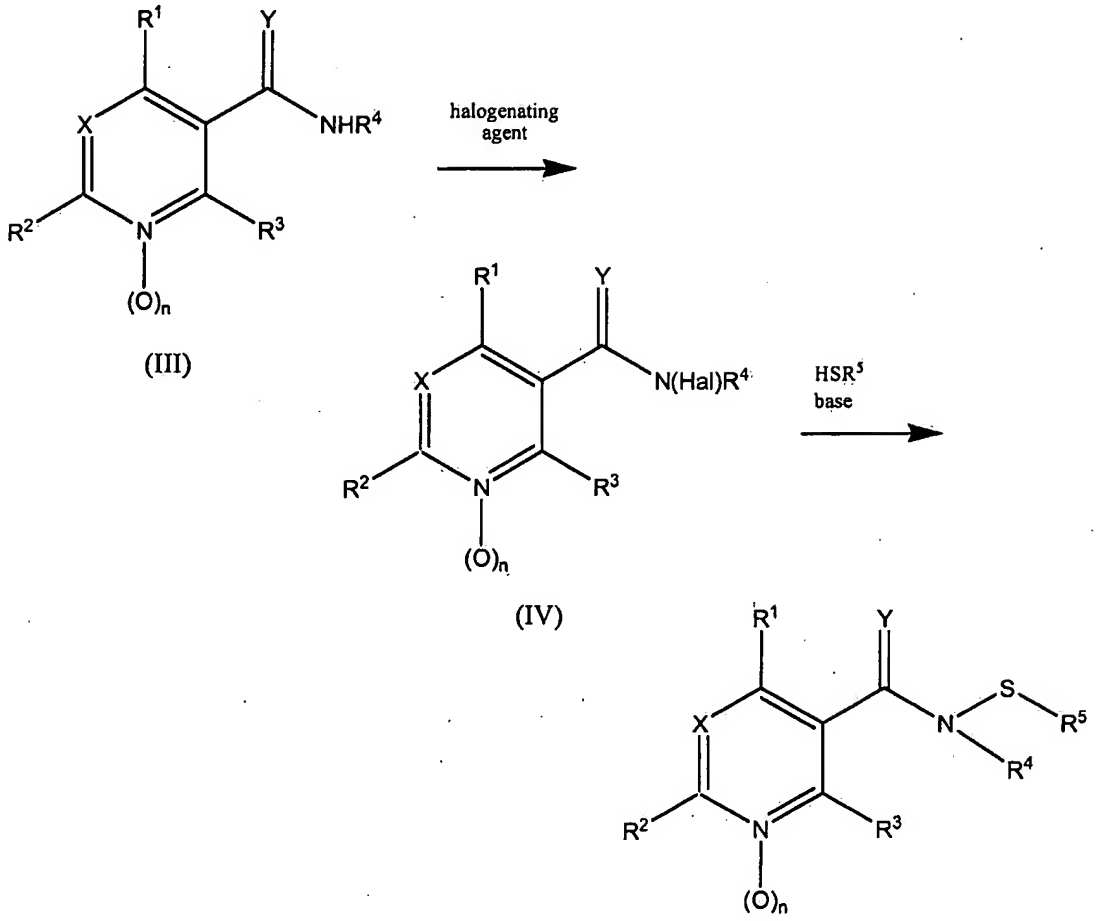


(II)

where X is =CH—, Y' is —O—, m and n are 0, R^1 is CF_3, R^2, R^3 and $R^{4'}$ are hydrogen and R^6 is (C_1-C_{10})-alkyl, (C_3-C_8)-cycloalkyl, aryl, benzyl or heterocyclyl having a total of one to three nitrogen, oxygen and/or sulfur ring atoms, where the radicals mentioned may be unsubstituted or mono- or polysubstituted.

8. (Currently Amended) A compound of formula ~~(II)~~ (I) or a salt thereof as claimed in ~~claim 7~~ claim 5 where Y is =O, n is 0, R^1 is CF_3, R^2, R^3 and R^4 are hydrogen and the substituents ~~are radicals R^7 having the following meaning:~~ R^7 are identical or different R^8 or two radicals R^7 together with the atoms to which they are attached form a three- to eight-membered saturated or unsaturated ring system which is unsubstituted or substituted by one or more radicals R^8 and which may also contain further heteroatoms, selected from the group consisting of O, N, S, SO and SO_2; R^8 being as defined in claim 5.

9. (Previously Amended) A process for preparing compounds of the formula (I), which comprises the following steps:



a) reaction of a carboxamide of the formula (III) with a halogenating agent to give a compound of the formula (IV), and

b) reaction of this compound with a thioether R^5SH in the presence of a base to give the end products of the formula (I), where in these formulae Hal is halogen and the radicals R^1, R^2, R^3, R^4, R^5, X and Y and the index n have the meanings given below:

X is =CH-;

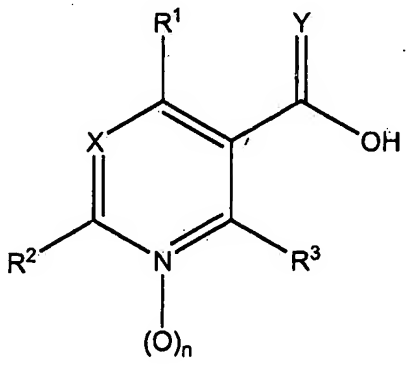
Y is =O or =S;

n is 0 or 1;

R^1 is (C_1-C_6)-alkyl, (C_1-C_6)-haloalkyl, -S(halogen)$_5$ or halogen, where one or two CH_2 groups may be replaced by –O- or –S- or –N(C_1-C_6)-alkyl, with the proviso that heteroatoms may not be adjacent;

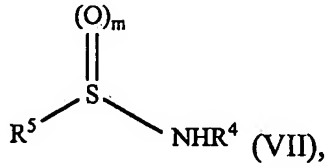
R^2, R^3 independently of one another are hydrogen, $(C_1\text{-}C_6)$-alkyl, $(C_1\text{-}C_6)$-haloalkyl or halogen, where one or two CH_2 groups may be replaced by –O- or –S- or $-N(C_1\text{-}C_6)$-alkyl, with the proviso that heteroatoms may not be adjacent;
R^4 is hydrogen, $(C_1\text{-}C_{10})$-alkyl, $(C_3\text{-}C_{10})$-cycloalkyl, $(C_3\text{-}C_{10})$-alkenyl, $(C_3\text{-}C_{10})$-alkynyl, $(C_6\text{-}C_{14})$-aryl, $(C_3\text{-}C_{10})$-heterocyclyl or $(C_1\text{-}C_{10})$-alkanoyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted;
R^5 is hydrogen, $(C_1\text{-}C_{10})$-alkyl, $(C_3\text{-}C_{10})$-alkenyl, $(C_3\text{-}C_{10})$-alkynyl, $(C_3\text{-}C_8)$-cycloalkyl, $(C_4\text{-}C_8)$-cycloalkenyl, $(C_8\text{-}C_{10})$-cycloalkynyl, aryl or heterocyclyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted.

10. **(Original)** A process for preparing compounds of the formula (I) as claimed in claim 1, which comprises reacting an activated derivative of the carboxylic acid or thiocarboxylic acid of the formula (VI)



(VI)

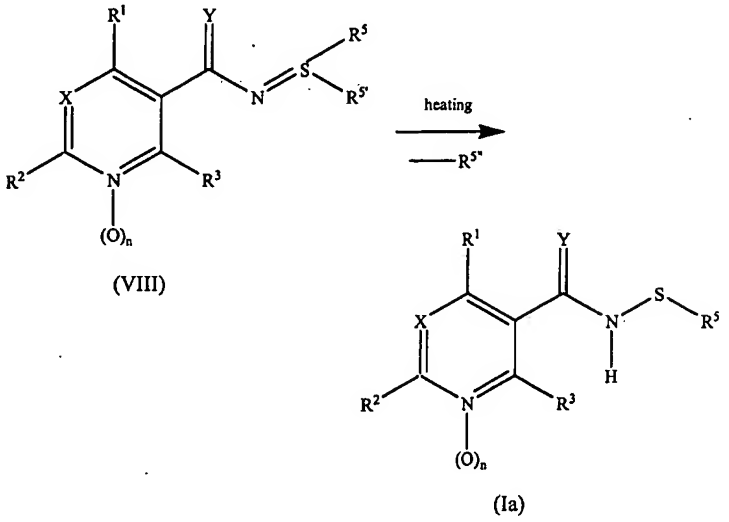
in the presence of a base with a compound of the formula (VII)



(VII),

where in these formulae the radicals R^1, R^2, R^3, R^4, R^5, X and Y and the indices m and n have the meanings given in claim 1.

11. (Previously Amended) A process for preparing compounds of the formula (Ia) by thermal decomposition of the sulfimides of the formula (VIII)



where the radicals R^1, R^2, R^3, R^5, X and Y and the index n are as defined below:

X is =CH-;

Y is =O or =S;

n is 0 or 1;

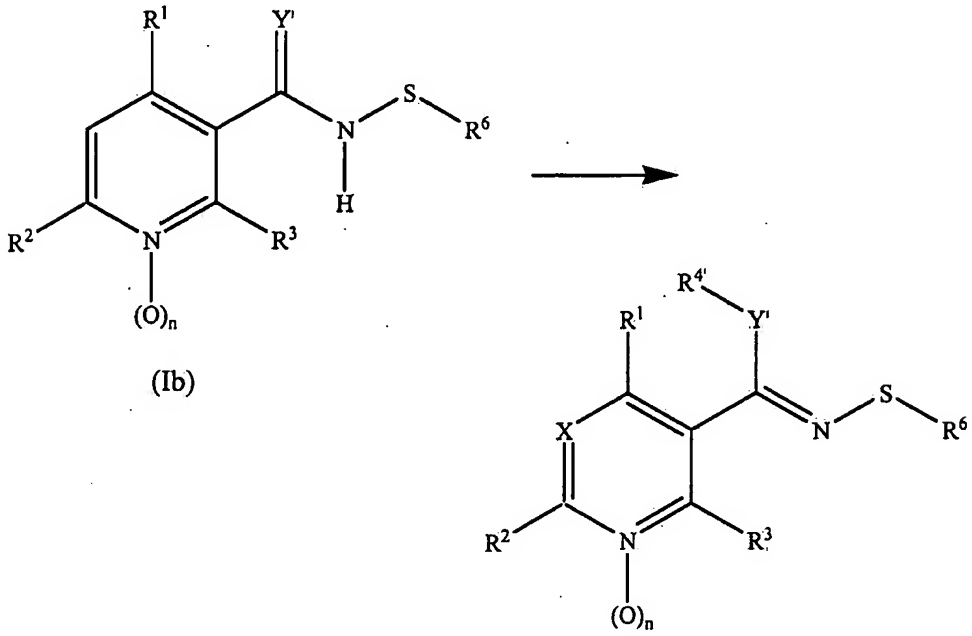
R^1 is $(C_1\text{-}C_6)$-alkyl, $(C_1\text{-}C_6)$-haloalkyl, -S(halogen)$_5$ or halogen, where one or two CH_2 groups may be replaced by –O- or –S- or –N$(C_1\text{-}C_6)$-alkyl, with the proviso that heteroatoms may not be adjacent;

R^2, R^3 independently of one another are hydrogen, $(C_1\text{-}C_6)$-alkyl, $(C_1\text{-}C_6)$-haloalkyl or halogen, where one or two CH_2 groups may be replaced by –O- or –S- or –N$(C_1\text{-}C_6)$-alkyl, with the proviso that heteroatoms may not be adjacent;

R^5 is hydrogen, $(C_1\text{-}C_{10})$-alkyl, $(C_3\text{-}C_{10})$-alkenyl, $(C_3\text{-}C_{10})$-alkynyl, $(C_3\text{-}C_8)$-cycloalkyl, $(C_4\text{-}C_8)$-cycloalkenyl, $(C_8\text{-}C_{10})$-cycloalkynyl, aryl or heterocyclyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted;

$R^{5'}$ is one of the groups defined for R^5 having a β-hydrogen atom and $R^{5''}$ is the ethylenically unsaturated leaving group corresponding to $R^{5'}$ reduced by one hydrogen atom.

12. (Previously Amended) A process for preparing compounds of the formula (II), which comprises reacting the compounds of the formula (Ib)



(Ib) (II)

with an alcohol $R^{4'}$—OH in the presence of an azodicarboxylic acid diester and a phosphine in accordance with the scheme above to give the compounds of the formula (II) in which, $R^{4'}$ has one of the meanings below, except for H, and R^1, R^2, R^3, R^6, X, Y and n have one of the meanings defined below:

X is =CH-;

Y' is –O- or –S-;

n is 0 or 1;

R^1 is (C_1-C_6)-alkyl, (C_1-C_6)-haloalkyl, -S(halogen)$_5$ or halogen, where one or two CH_2 groups may be replaced by –O- or –S- or –N(C_1-C_6)-alkyl, with the proviso that heteroatoms may not be adjacent;

R^2, R^3 independently of one another are hydrogen, (C_1-C_6)-alkyl, (C_1-C_6)-haloalkyl or halogen, where one or two CH_2 groups may be replaced by –O- or –S- or $-N(C_1-C_6)$-alkyl, with the proviso that heteroatoms may not be adjacent;
$R^{4'}$ is hydrogen, (C_1-C_{10})-alkyl, (C_3-C_{10})-cycloalkyl, (C_3-C_{10})-alkenyl, (C_3-C_{10})-alkynyl, (C_6-C_{14})-aryl, (C_3-C_{10})-heterocyclyl or (C_1-C_{10})-alkanoyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted; and
R^6 is hydrogen, (C_1-C_{10})-alkyl, (C_3-C_{10})-alkenyl, (C_3-C_{10})-alkynyl, (C_3-C_8)-cycloalkyl, (C_4-C_8)-cycloalkenyl, (C_8-C_{10})-cycloalkynyl, aryl or heterocyclyl, where the radicals mentioned may be unsubstituted or mono- or polysubstituted.

13. (Currently Amended) A composition having insecticidal, acaricidal, ixodicidal, nematicidal, molluscidal and/or fungicidal action, which comprises at least one compound of the formula (I) or a salt thereof or a compound of formula (II) or a salt thereof as claimed in claim 1 ~~and~~ or 2, respectively.

14. **(Original)** A method for controlling animal pests comprises the step of directly or indirectly applying to the pest a compound of the formula (I) or a salt thereof as claimed in claim 1.

15. **(Original)** A method for controlling animal pests comprises the step of directly or indirectly applying to the pest a compound of the formula (II) or a salt thereof as claimed in claim 2.

16. **(Original)** A method for warding off or fending off harmful organisms, where one or more compounds of the formula (I) or salts thereof as claimed in claim 1 are applied to the site from which the harmful organisms are to be fended off or warded off.

17. **(Original)** A method forwarding off or fending off harmful organisms, where one or more compounds of the formula (II) or salts thereof as claimed in claim 2 are applied to the site from which the harmful organisms are to be fended off or warded off.

18. **(Original)** A veterinary medicament comprising a compound of the formula (I) or a salt thereof as claimed in claim 1.

19. **(Original)** A veterinary medicament comprising a compound of the formula (II) or a salt thereof as claimed in claim 2.

20. (Cancelled)